

**REAL ESTATE APPRAISERS BOARD  
MINUTES  
MADISON, WISCONSIN  
AUGUST 23, 2000**

**PRESENT:** Paul “Rick” Vozar, Patrick Buckett, LaMarr Franklin, and Mary Reavey  
(by teleconference)

**EXCUSED:** Lill Hauschild and Gary Cuskey

**STAFF PRESENT:** Alfred Hall, Jr., Kimberly Nania, Becky Fry, and Ruby Jefferson-Moore,  
Legal Counsel; Deputy Secretary William Conway, for a portion of the  
meeting

**CALL TO ORDER**

Rick Vozar, Chair, called the meeting to order at 9:34 a.m., upon confirmation that the public notice was timely given. A quorum of four members was present.

**AGENDA**

Item 9 b ii 2 was corrected to read “ASB” and moved to item 9 a iii.

**MOTION:** Patrick Buckett moved, seconded by LaMarr Franklin, to adopt the agenda as amended. Motion carried unanimously.

**MINUTES (6/28/00)**

**MOTION:** LaMarr Franklin moved, seconded by Patrick Buckett, to approve the minutes with the following corrections: page 2 – Appraisal Subcommittee “Site” and an addition in the first sentence to read Appraisal Subcommittee “auditors” will arrive... Motion carried unanimously.

**ADMINISTRATIVE REPORT**

**Deputy Secretary Conway’s Report**

Deputy Secretary Conway welcomed the Board. He told the board that his duties related to the development of DRL e-commerce, focussing on the budget and the reorganization of the department have led to his responsibilities changing. Deputy Secretary Conway introduced Kimberly Nania, director of the Bureau of Health Services Professions, as the Department liaison to the Board. Dr. Nania will be the liaison between the board and the Office of the Secretary.

• **Board Member Workshop Report**

Deputy Secretary Conway informed the Board that the Department would consider having the Board Member Workshop earlier in the week than Friday.

- **Preparation for Appraisal Subcommittee Audit**

The Board reviewed a copy of David Bunton's July 27, 2000, letter listing the materials the field review team needed to prepare for its audit and review of the Wisconsin appraiser regulatory program on October 17-18, 2000. The department staff has begun to prepare for the audit.

- **Ethics Board Opinion: Board Member Testifying as an Expert Witness**

The Board discussed William Dusso's July 13, 2000, memo and Jonathan Becker's (Legal Counsel for the Ethics Board) letter, advising Board members to not agree to serve as an expert witness in a judicial matter without first obtaining an opinion from the Ethics Board. This would allow the board member an opportunity to discuss their case before a trial. The consultation is to avoid a violation of the Ethics Code.

### **Bureau Director's Report**

- **Board Roster/Proposed 2001 Meeting Dates/To-Do List**

The Board received a copy of the August 2000 roster and the to-do list from the previous meeting.

The Board received a copy of the 2001 proposed meeting dates.

**MOTION:** Mary Reavey moved, seconded by LaMarr Franklin, to approve the proposed 2001 meeting dates. Motion carried unanimously.

- **Regulatory Digest Draft**

The Board reviewed the digest draft and indicated minor changes and corrections.

Articles relating to discipline, the department's preparation for the Appraisal Subcommittee site visit and field review, the number of credential holders and the USPAP questions and answers put out by the Appraisal Standards Board will be included in the upcoming digest.

### **LEGISLATIVE ISSUES**

None.

### **ADMINISTRATIVE RULES**

#### **Update of CR 00-097 Relating to the 2000 Edition of the Uniform Standards of Professional Appraisal Practice (USPAP)**

Mr. Hall informed the Board that the rules are currently at the Legislative Standing Committees.

Ms. Jefferson-Moore indicated that the 2001 USPAP would go forward with the scope statement.

### **BOARD MEMBER ACTIVITY**

Nothing to report.

## **APPRAISAL SUBCOMMITTEE**

### **Site Visit October 18, 2000 Update**

Rick Vozar stated that Vicki Ledbetter and Kathryn Gearhead would perform the Appraisal Subcommittee site visit on October 17-18, 2000.

Ruby Jefferson-Moore indicated that this would be a good opportunity to discuss any issues of concern with the representatives of the Appraisal Subcommittee.

### **Clarification of Distance Education, 6/29/00, Henson**

Ruby Jefferson-Moore indicated that the department has received calls relating to distance education moving forward in view of the technological advances in Internet training capabilities. The Department's policy is to approve the distance learning courses that meet the Appraiser Qualification Board's (AQB) criteria for initial or continuing education.

## **APPRAISAL FOUNDATION**

### **Appraisal Standards Board**

- **Exposure Draft Proposed Changes to the 2000 Edition of the Uniform Standards of Professional Appraisal Practice USPAP and Advisory Opinions, 5/4/00**

The Board received the Appraisal Standards Board's July 10, 2000, Summary of Actions.

Ruby Jefferson-Moore reminded the Board that the exposure draft was approved at the July meeting.

**MOTION:** LaMarr Franklin moved, seconded by Mary Reavey, to waive the 30-day requirement under 458.05 (2), Stats., and approve scope statement and intent of the proposed rule draft. Motion carried unanimously.

- **USPAP Q & A – June and July 2000**

Noted.

### **Appraisal Qualifications Board**

- **Meeting Summary 7/14/00**

Mr. Hall informed the Board that he would convey to AQB the Board's agreement that the 5-year experience requirement could be eliminated if all teachers are required to be AQB certified. The Board will defer comments to the second exposure draft.

- **Press Releases**

AQB to Issue Second Exposure Draft on USPAP Instructor Certification

Noted.

AQB Adopts Changes to USPAP Effective January 1, 2001

Noted.

**ASSOCIATION OF APPRAISER REGULATORY OFFICIALS**

**AARO News, July 2000 Issue**

The Board received a copy of the July 2000, AARO News.

Mr. Hall reported that the annual Association of Appraiser Regulatory Officials (AARO) conference would be October 28-31, 2000, in Washington, D. C. He reviewed the preliminary agenda for the annual AARO meeting.

Rick Vozar reported that the property flipping issue would be discussed at the annual meeting.

Mary Reavey stated that the following Wisconsin Association of Assessing Officers website lists potential flippers: [www.waao.org](http://www.waao.org).

**May 10, 2000, Exposure Draft From Arlen C. Mills, Chair of the AQB**

The Board received a copy of the May 30, 2000, letter to Arlen C. Mills, Chair of the AQB, and the June 13, 2000, memo from Mr. Sam E. Blackburn, Executive Director, Kentucky Real Estate Appraisers Board, relating to the AQB Exposure Draft.

**Correspondence**

**Riddell 7/05/00**

The Board received a copy of the July 5, 2000, memo from Linda Riddell and copies of correspondence received by AARO relating to proposed revisions to the 2001 edition of the USPAP.

The Board discussed the education and experience requirements for instructors. The Board is concerned that it would take a number of years before new instructors have the experience to teach, resulting in a shortage of instructors.

The Board will revisit the second exposure draft on USPAP instructor certification at the next meeting.

## USPAP Compliance

Noted.

## **Proposal for the ASB, 6/27/00, Clark**

Noted.

## **PRACTICE ISSUES**

None.

## **CORRESPONDENCE**

### **Uniform Agricultural Appraisal Report, American Society of Farm Managers and Rural Appraisers, Inc.**

The Board discussed the Uniform Agricultural Appraisal Report, received from Edward S. Thornton and his concern about limited appraisals being restricted to 20% experience credit. Mr. Thornton believes that the limited agricultural appraisals are extensive and should qualify for certified general appraiser license.

The Board uses USPAP as the standard for doing appraisals. The Board was concerned that there is no mention of USPAP compliance in the form, and until the Board is able to review the information received as part of an application, no recommendation can be made to the department as to whether this can be considered a limited report or a complete report.

## **NEW BUSINESS**

None.

## **RECESS TO CLOSED SESSION**

**MOTION:** LaMarr Franklin moved, seconded by Patrick Buckett, to convene the meeting in Closed Session pursuant to Sections 19.85(1)(b) and (f), Wis. Stats.: to consider the licensing or discipline of a person licensed by the Department or the investigation of charges against such a person. Specifically, to discuss the issue of case status reports, case closings, monitoring reports, deliberations on stipulations that may be signed after printing of the agenda, pending applications, and disciplinary proceedings. Motion carried by a roll call vote: LaMarr Franklin-yes; Patrick Buckett-yes; Mary Reavey-yes; and Rick Voazar-yes.

Closed Session convened at 10:50 a.m.

The Board deliberated on case status reports and disciplinary matters.

## **RECONVENE IN OPEN SESSION**

By consensus open session reconvened at 11:34 a.m.

**VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

**DISCIPLINARY MATTERS**

**MOTION:** Patrick Buckett moved, seconded by LaMarr Franklin, to rescind the Board's action of 9/29/99, in the Disciplinary matter against Peter Melone relating to LS9809081APP94 APP 025. Motion carried unanimously.

**MOTION:** LaMarr Franklin moved, seconded by Patrick Buckett, to adopt the Administrative Law Judge's proposed Findings of Fact, Conclusions of Law and Order for LS9809081APP94 APP 025. Motion carried unanimously.

**SUCH OTHER ITEMS AS AUTHORIZED BY LAW**

None.

**ADJOURNMENT**

**MOTION:** Patrick Buckett moved, seconded by LaMarr Franklin, to adjourn the meeting at 11:35 a.m. Motion carried unanimously.

Next Meeting: October 18, 2000